| SOUTHERN DISTRICT OF NEW YORK |        |                          |
|-------------------------------|--------|--------------------------|
| UNITED STATES OF AMERICA,     | x<br>: |                          |
| v.                            | :      |                          |
| v.                            | :      | Case No. 23-CR-307 (LJL) |
| MICHAEL SHVARTSMAN,           | :      | ,                        |
| GERALD SHVARTSMAN, and        | :      |                          |
| BRUCE GARELICK,               | :      |                          |
|                               | :      |                          |
| D 4 1                         | :      |                          |
| Defendants.                   | :<br>y |                          |
|                               | Λ      |                          |

## REPLY DECLARATION OF TAI H. PARK IN SUPPORT OF DEFENDANT MICHAEL SHVARTSMAN'S OMNIBUS PRE-TRIAL MOTIONS

I, Tai H. Park, declare pursuant to 28 U.S.C. § 1746 as follows:

UNITED STATES DISTRICT COURT

- 1. I am the managing member of the law firm of Tai Park, PLLC, and a member in good standing of the bar of the State of New York and this Court. I submit this Declaration in support of Defendant Michael Shvartsman's Omnibus Pretrial Motions. The statements herein are based on my review of documents referenced herein and are true to the best of my knowledge.
- 2. On July 20, 2023, the Court arraigned the defendants in this case and discussed discovery scheduling matters with the parties. A true and accurate copy of the transcript of this proceeding is attached hereto as Exhibit AA.
- 3. In the course of discovery in this case, the government produced a transcript of a recorded meeting held March 15, 2023. A copy of the transcript is attached hereto as Exhibit BB.<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> I note that a copy of that transcript containing only the pages relevant to the Omnibus Pretrial Motions, pages 45 to 47, was previously submitted as Exhibit F to the Declaration of Tai H. Park, dated December 22, 2023. In the government's opposition to the defense motions, it has made representations that require submission of all pages of the lengthy transcript, and it is thus attached hereto as Exhibit BB.

With the exception of redactions of personal identifying information, Exhibit BB is a true and accurate copy of the transcript produced by the government to the defense.

4. Subsequent to the filing of this motion, the government produced to the defense an email dated December 27, 2023, containing what appear to be notes of a discussion between prosecutors in the Southern District of New York and an Assistant U.S. Attorney in the Southern District of Florida. A true and accurate copy of that email is attached hereto as Exhibit CC.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on: January 18, 2024